

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

| | | |
|---------------------------------|---|---------------------|
| OLIVIA Y., et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | 3:04-CV-251-HSO-FKB |
| |) | |
| TATE REEVES, as Governor of the |) | |
| State of Mississippi, et al, |) | |
| |) | |
| Defendants. |) | |

DECLARATION OF MARCIA ROBINSON LOWRY

Marcia Robinson Lowry, an attorney of record in this civil action, makes this declaration under penalty of perjury and under 28 U.S.C. § 1746.

1. I am a member of the Bar of New York and admitted to practice in this Court *pro hac vice*. I am lead counsel for the Plaintiff Class in this case along with local counsel, Wayne Drinkwater and Michael Bentley, of the firm of Bradley Arant Boult Cummings LLP. I am the Executive Director of A Better Childhood (“ABC”). I give this Declaration in support of Plaintiffs’ Motion For Award of Class Counsel’s Fees and Expenses.
2. On July 27th, 2022, at 2:51 p.m. CST, Defendants’ counsel sent me an electronic mail message stating that “the check in the amount of \$29,500.68 for Invoice #52 is being mailed out to you today.” See Attachment 1.

| |
|----------------------|
| EXHIBIT A |
|----------------------|

3. Shortly thereafter, our local counsel filed the Motion for Attorneys' Fees and Expenses at around 4:43 p.m. CST, before we were able to communicate this message to them.
4. On August 4, 2022, my operations manager, Erica Comm, deposited Defendants' payment.
5. Attached hereto, as Attachment 1, is an electronic mail correspondence between ABC and Defendants' counsel, Clint Pentecost, regarding Defendants' notice that a check would be mailed later that day, which we received on July 27th, 2022, at 2:51 p.m. CST.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 17th day of August 2022 in Chappaqua, New York

/s/ Marcia Robinson Lowry
Marcia Robinson Lowry (*pro hac vice*)
Attorney for Plaintiffs

Subject: RE: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021
Date: Wednesday, July 27, 2022 at 3:51:46 PM Eastern Daylight Time
From: Pentecost, Clint
To: Anastasia Benedetto
CC: Jonathan Borle, Marcia Lowry
Attachments: image001.jpg, image002.png, image003.png, image004.png, image005.png

Anastasia,

I just received notice that the check in the amount of \$29,500.68 for Invoice #52 is being mailed out to you today.

Clint Pentecost

Of Counsel

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Direct: 601.351.2452

E-mail: cpentecost@bakerdonelson.com

From: Anastasia Benedetto <abenedetto@abetterchildhood.org>
Sent: Wednesday, June 22, 2022 8:26 AM
To: Pentecost, Clint <CPentecost@bakerdonelson.com>
Cc: Jonathan Borle <jborle@abetterchildhood.org>; Marcia Lowry <mlowry@abetterchildhood.org>
Subject: Re: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Thank you, **Clint**. We will be submitting this motion to the court shortly.

Best,

Anastasia Benedetto

Staff Attorney

[A Better Childhood](http://AbetterChildhood.org)

abenedetto@abetterchildhood.org

646-477-1781

From: "Pentecost, Clint" <CPentecost@bakerdonelson.com>
Date: Monday, June 20, 2022 at 11:35 AM
To: Anastasia Benedetto <abenedetto@abetterchildhood.org>
Cc: Jonathan Borle <jborle@abetterchildhood.org>, Marcia Lowry <mlowry@abetterchildhood.org>
Subject: RE: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Anastasia,

Please see the attached.

Clint Pentecost

Of Counsel

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Direct: 601.351.2452

E-mail: cpentecost@bakerdonelson.com

From: Anastasia Benedetto <abenedetto@abetterchildhood.org>

Sent: Monday, June 6, 2022 3:45 PM



To: Pentecost, Clint <CPentecost@bakerdonelson.com>
Cc: Jonathan Borle <jborle@abetterchildhood.org>; Marcia Lowry
<mlowry@abetterchildhood.org>
Subject: Re: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Clint,

Please see attached letter. As always, we are available to discuss further.

Best,
Anastasia Benedetto
Staff Attorney
[A Better Childhood](http://ABetterChildhood.org)
abenedetto@abetterchildhood.org
646-477-1781

From: "Pentecost, Clint" <CPentecost@bakerdonelson.com>
Date: Thursday, April 28, 2022 at 5:04 PM
To: Anastasia Benedetto <abenedetto@abetterchildhood.org>
Cc: Jonathan Borle <jborle@abetterchildhood.org>, Marcia Lowry
<mlowry@abetterchildhood.org>
Subject: RE: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Anastasia,
Please see the attached letter.

Clint Pentecost
Of Counsel
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
Direct: 601.351.2452
E-mail: cpentecost@bakerdonelson.com

From: Anastasia Benedetto <abenedetto@abetterchildhood.org>
Sent: Friday, April 15, 2022 12:08 PM
To: Pentecost, Clint <CPentecost@bakerdonelson.com>
Cc: Jonathan Borle <jborle@abetterchildhood.org>; Marcia Lowry
<mlowry@abetterchildhood.org>
Subject: Re: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Clint,

Please see the attached letter. We are available to discuss, should you wish to do so.

Have a nice weekend,
Anastasia

Anastasia Benedetto
Staff Attorney
[A Better Childhood](http://ABetterChildhood.org)
abenedetto@abetterchildhood.org
646-477-1781

From: "Pentecost, Clint" <CPentecost@bakerdonelson.com>
Date: Friday, February 25, 2022 at 5:22 PM
To: Anastasia Benedetto <abenedetto@abetterchildhood.org>
Cc: Jonathan Borle <jborle@abetterchildhood.org>, Marcia Lowry <mlowry@abetterchildhood.org>
Subject: RE: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Anastasia,
Please see the attached. If you would like to discuss, please let me know.

Clint Pentecost
Of Counsel
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
Direct: 601.351.2452
E-mail: cpentecost@bakerdonelson.com

From: Anastasia Benedetto <abenedetto@abetterchildhood.org>
Sent: Wednesday, February 9, 2022 3:55 PM
To: Pentecost, Clint <CPentecost@bakerdonelson.com>
Cc: Jonathan Borle <jborle@abetterchildhood.org>; Marcia Lowry <mlowry@abetterchildhood.org>
Subject: Olivia Y - Attorneys' Fees for July 1, 2021-Dec. 31, 2021

Clint,

Please see attached fee application for the period of July 1, 2021 – December 31, 2021.

Thanks,
Anastasia Benedetto
Staff Attorney
[A Better Childhood](http://AbetterChildhood.org)
abenedetto@abetterchildhood.org
646-477-1781



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